

PLANNING BOARD MEETING

TIPP CITY, MIAMI COUNTY, OHIO

July 8, 2008

**Meeting**

Chairman Mike McFarland called this meeting of the Tipp City Planning Board to order at 7:30 p.m.

**Roll Call**

Roll call showed the following Board members present: Mike McFarland, John Berbach, Bryan Blake, Robert Horrocks, and Mark Springer.

Others in attendance: City Planner/Zoning Administrator Matt Spring, and Board Secretary Marilyn Fennell. Those signing the guest register included Scott Timms, Mike Bow, and Joe Bagi.

**Approval of Minutes**  
May 13, 2008 Meeting

Mr. Springer **moved to approve the minutes of the May 13, 2008 meeting as presented.** Mr. Blake Seconded the motion. Motion passed. 4-0-1. Mr. Berbach abstained as he was absent.

June 10, 2008 Meeting

Mr. Berbach **moved to approve the minutes of the June 10, 2008 meeting as presented.** Mr. Springer seconded the motion. Motion passed 3-0-2. Mr. Blake and Mr. Horrocks abstained due to their absence.

**Items not on the Agenda**

There were no comments on items not on the agenda.

**NEW BUSINESS**  
Deadline Dates

Chairman McFarland announced that the next regularly scheduled Planning Board meeting would be held Tuesday, August 12, 2008. Preliminary Plans, Final Plats and Site Plans must be submitted by 5:00 p.m. on July 21, 2008 and temporary sign requests for display over 30 days must be submitted by 5:00 p.m. on August 6, 2008.

Bruns Industrial Park,  
Tipp-Cowlesville Rd &  
Berry-Logan Drive, Pt IL  
2781, I-1 zoning- Pre-App  
Sketch & Set Public  
Hearing

Mr. McFarland said this matter is to remain tabled. Mr. Spring said there are issues to be resolved. The last submission was received Wednesday of last week.

Rosewood Creek PR  
Subdivision-Revision  
to Preliminary Plan

Mr. Spring said the applicant is asking for approval for a revision to the Preliminary Plan for Rosewood Creek Subdivision. The revision is essentially identical to the original Preliminary Plan which was approved by City Council in July 2006. One exception is that it includes the 2 replats done on Hermosa Drive on August 8, 2006 and May 13, 2008 regarding the zero-lot lines lots. The second change reconfigures the phasing of the subdivision without changing any underlying recorded inlots or types of lots.

Staff recommended that in consideration of the relative minor change that there does not need to be a Public Hearing prior to the recommendation to Council. Staff did recommend a positive recommendation be forwarded to City Council for approval of the revised Preliminary Plan for Rosewood Creek Planned Residential Subdivision. If approved Council can consider a Resolution at their July 21<sup>st</sup> meeting.

Mr. Springer asked about the rephasing. Mr. Spring said that the number of phases has changed and the lines on the phases have been

reconfigured. So Phase 5 really did not exist on the original Preliminary Plan. This one also takes into account the dividing of Phase 2 into "A" and "B". Mr. Blake said he had a question that had been asked of him and was not sure if it pertained to this matter. He had been asked about the storm sewer drainage problems in Phase 1. Mr. Spring said that problem is being addressed by the Engineering and Utility departments. It has no bearing on the Preliminary Plan. There have also been meetings between those two departments and some of the residents after the storm occurred.

There being no further comments, Mr. McFarland **moved to waive the public hearing regarding the minor changes to the Rosewood Creek and forward a positive recommendation to City Council for its approval.** Mr. Horrocks seconded the motion. Motion passed 5-0.

Rosewood Creek,  
Final Plan, Phase 3-  
Set Public Hearing

Mr. Spring said since the Planning Board has forwarded a recommendation for approval of the Preliminary Plan, it would be appropriate to set a public hearing for the Final Plan for Rosewood Creek for Phase 3 for the August 12, 2008 meeting. Mr. McFarland **moved to set a public hearing for August 12, 2008 for the Rosewood Creek, Final Plan for Phase 3 for 23 lots.** Mr. Springer seconded the motion. Motion passed 5-0.

Captor Corporation,  
5040 S. CR 25A, IL  
4047- Site Plan  
approval for building  
and parking lot  
expansion

Mr. Spring stated the applicant is seeking approval for an expansion to the building and the off-street parking lot. The building expansion is  $\pm$  9,961 square feet. The existing parking lot will be upgraded as well as landscaping and lighting to meet Code requirements. The proposed addition will be located and connected to the southern side of the existing building. The meeting meets all required setbacks. The site plan indicates 5' walkways provided around the addition. This addition will require the reconfiguration of 25 existing non-conforming off-street parking spaces which will be brought up to current Code standards and moved southerly.

The access to the proposed addition will be via existing two ingress/egress approaches and two additional approaches. Per Code §154.078(F)(3) the facility needs 99 off-street parking spaces. The facility currently provided 88 regular (non-conforming 10'x18') off-street parking spaces which included 2 handicapped accessible spaces. The proposed addition will expand southerly and provide 25 standard (10'x20'), four (4) handicapped spaces and 20 "compact" (9' x 16') spaces. Code allows up to 15% of the number of spaces to be "compact". The facility provides 133 total spaces, 15% of this total is 19.95. The facility will provide 20 "compact" spaces, thus meeting the maximum allowable number of "compact" spaces. Code requires those spaces be readily identified (signage and/or painted). The 6 handicapped accessible spaces exceed the minimum required two (2) spaces.

The lot lighting for the proposed off-street parking areas will be maintained at an average of 1.46 lumens per square foot of parking area. Code requires a minimum of two lumens per square foot of illumination with shields installed if necessary. The applicant is seeking approval of the proposed reduction from the minimum code standard. Staff recommends the additional wattage be added to bring the average up to the 2.0 lumens per square foot requirement. The beam spread of the light fixtures shall be designed so the effect on adjacent properties is

minimal and there should not be a glare from the public right-of-way.

Mr. Spring continued that on May 8, 2007, Planning Board approved the relocation of the existing dumpster facility for the site. No additional revisions to the dumpster facilities are proposed with this request.

He said the applicant provided a site plan that included the proposed additional landscaping for the site. The proposed addition will require the removal of two existing trees and includes the addition of 5 Monterey Pine trees. The site plan also denotes the addition of the required Type "A" buffer. The site is adjacent to Miami County Single-Family Residential properties. Therefore the Type "A" buffer is required to be provided along the western perimeter of the project area. He gave the definition of Type "A" buffer. The site plan indicates that an additional 70 linear feet of 6' tall board-on-board wood privacy fencing will be installed on the western perimeter. The fence will be setback 6' from the western property line and screen the off-street parking addition per Code.

Mr. Spring continued that the storm water calculations and drainage plan have been reviewed by the City Engineer. There will be two catch basins within the new off-street parking area which will outlet to a proposed 1500 cu. ft. detention basin located near the southeast corner of the lot. The basin will then outlet to the existing storm sewer of CR 25A. Staff notes that prior to the issuance of a Final Certificate of Occupancy by the City of Tipp City, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City of Tipp City rules and regulations.

Mr. Spring said the facility will meet the internal circulation pattern requirements per Code for design, construction standards, surfacing, wheel stops, and markings. The applicant is to provide the required 6" curbing around the perimeter of the off-street parking lot expansion. With bumper blocks indicated adjacent to the new 5' walkway abutting the expansion. The applicant has indicated they will seek a waiver from Planning Board of the parking blocks adjacent to the walkway. Staff recommends that the parking blocks be required to allow full access to the 5' walkway.

Mr. Spring said staff recommended approval of the site plan with the following conditions:

1. Compact spaces shall be readily identified with individual signage abutting each space and/or painting of the pavement for each compact space "compact car only".
2. The parking blocks indicated on the site plan shall be a requirement of the approved site plan.
3. The applicant will provide additional wattage and/or fixtures to the proposed lot lighting to bring the average up to the 2.0 lumens per square foot requirement, and a revised photometric diagram and site plan demonstrating the same.
4. Prior to the commencement of construction, the applicant must obtain an approved Zoning Compliance Permit from the City of Tipp City, plus all required Building Permits from Miami County.
5. Prior to the commencement of construction, the applicant and all

applicable contractors and subs will participate in a pre-construction meeting with City staff.

6. Prior to the issuance of a Final Certificate of Occupancy by the City of Tipp City, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City of Tipp City rules and regulations.
7. The applicant must obtain authorization/approval from the Planning Board for any proposed modifications to the approved site plan prior to the construction or undertaking of any such proposed modifications.

Mr. Spring said Mr. Mike Bow and Mr. Timms of Captor Corporation were in attendance to answer questions.

Mr. Mike Bow, of M & K Engineering, thanked the City for their assistance with the approval process. He stated the Captor Corp. had 100 employees, they wish to maintain the architecture of their building. They decided to go out the back of the building, match the brick, and maintain the current landscaping. The lighting request is due to the closeness of the residential area to the west. The fencing is to be extended. Mr. Timms of Captor has already notified the neighbors of the plans for the expansion. There is no night shift; they want to keep the parking up against the building well lit but it won't quite reach out to the far parking on the other side of the aisle. Another request was to not have the curb around the outer pavement of the lot. He said the facility is well-maintained, vehicles don't run off the edge of the pavement. There is little truck traffic to the facility and there will be none in this new area. They wish to have the curbing waived in the southern and western area of the lot. They also wish to have the bumper blocks eliminated. It would make it difficult to clean the parking lot. Mr. Bow said they had a contractor and plans ready to go; they wanted consideration on their 3 requests.

Mr. Springer asked about the lighting in the southwest corner being dim. Mr. Bow said it would be dim to the far reaches of the parking lot. The parking next to the building will be lit with lights mounted on the building. Mr. Spring said the sketch did show curbing. Mr. Springer said it shows bumper blocks up against the 5' walk and curbing around the perimeter. Mr. Bow said the walk did have a curb. Mr. McFarland said the sidewalk is being used as the parking block. Mr. Bow said that was correct. Mr. Springer said the City Engineer looked at the drainage with the curb in place. Mr. Springer asked if the removal of the curbing changes his calculations. Mr. Bow said it would not change the flow of the water. Mr. McFarland said there is a parking lot behind WINCO that has parking blocks on the perimeter and there are two lights and if they are not working second shift, they are turned off at night. Mr. McFarland said the Board could stipulate that if a second shift is added that the additional lighting would be needed. Mr. McFarland thought the parking blocks should be used on the outside perimeter. Mr. Berbach said the Board has waived curbing but have always required parking blocks around the perimeter. Mr. Springer said he was not as concerned with the lighting issue as they have one shift. Mr. Spring asked Mr. Bow and Mr. Timms if that created any problem if the Board required a perimeter of parking blocks rather than the curbing. Mr. Timms said that was okay.

Mr. Blake said he would agree to the parking blocks. Mr. McFarland again stated the addition of lighting if a second shift would be added. Mr. Spring said that was something the City would find difficult to monitor.

The Board discussed the sidewalk/curb situation and agreed that parking blocks up against the rolled edge of the 5' sidewalk would not be necessary. Mr. McFarland stated it was for private industrial use, not commercial use.

Mr. Blake moved to approve the site plan for the building and parking lot expansion for Captor Corporation, 5040 S. County Road 25A, Inlots 446, 4047, and 4048 with the following conditions:

1. Compact spaces shall be readily identified with individual signage abutting each space and/or painting of the pavement for each compact space "compact car only".
2. The perimeter curbing is waived but parking blocks must be installed in all new spaces abutting the southern and western property lines. Parking blocks will not be required adjacent to the building.
3. Prior to the commencement of construction, the applicant must obtain an approved Zoning Compliance Permit from the City of Tipp City, plus all required Building Permits from Miami County.
4. Prior to the commencement of construction, the applicant and all applicable contractors and subs will participate in a pre-construction meeting with City staff.
5. Prior to the issuance of a Final Certificate of Occupancy by the City of Tipp City, the detention basin, its pipes, and appurtenances are to be as-built and a certification by the engineer is to be provided to the City stating the detention basin was constructed in accordance with the design and will operate in conformance with the City of Tipp City rules and regulations.
6. The applicant must obtain authorization/approval from the Planning Board for any proposed modifications to the approved site plan *prior* to the construction or undertaking of any such proposed modifications.

Mr. Springer seconded the motion. Motion passed 5-0. Mr. McFarland said the Board always likes to see businesses expand. Mr. Bow asked about scheduling the pre-construction meeting. Mr. Spring advised him to call the City Engineer, Scott Vagedes to schedule that meeting.

Set Public Hearing-  
Modifications to  
existing code regarding  
setbacks on corner  
lots, §154.061(A)

Mr. McFarland said a public hearing needs to be set to discuss a modification to Code §154.061(A) regarding setbacks on corner lots. Mr. Spring there has been some issues on the definition of a rear yard on a corner lot. The staff report states the issues. He recommended a hearing be set for August 12, 2008.

Mr. McFarland moved to hold a public hearing for proposed modifications to Code §154.061(A) on August 12, 2008. Mr. Horrocks seconded the motion. Motion passed 5-0.

Set Public Hearing-  
Modifications to the  
existing code regarding  
surfacing of residential

Mr. McFarland stated another public hearing needed to be set to discuss this modification for §154.074(l)(3)(b). Mr. Spring said this has to do with the surfacing requirements noted in code for residential driveway expansions. He recommended a hearing be set for August 12, 2008.

off-street parking  
areas,  
S154.074(l)(3)(b)

Mr. McFarland **moved to hold a public hearing for proposed modification to Code §154.074(l)(3)(b) on August 12, 2008.** Mr. Springer seconded the motion. Motion passed 5-0.

#### **Old Business**

There was no Old Business to discuss.

#### **Miscellaneous**

Wind/Solar Power –  
Zoning Regulations-  
Workshop

The Board was reminded of the workshop for discussing wind/solar power zoning regulations to be held August 12, 2008, 6:30 pm. Mr. McFarland said he sees that Miami County has started discussions also. Mr. Spring said he has a copy of their proposed revisions. Essentially it is similar to Bethel Twp. and they have larger open space environments to consider. Mr. McFarland asked if this was a joint workshop with City Council. Mr. Spring said they would be invited.

Mr. Blake asked about conflicts with Homeowner Associations and the City's Zoning rules. Mr. Spring said theoretically the City's zoning rules may prevail but it may conflict with the Associations covenants and restrictions. At staff level, he attaches an informative sticker on Zoning Permits that may conflict with existing Homeowners Association covenants, deeds, and restrictions.

City Council Reports:  
6/16/08- Mr.  
McFarland

Mr. McFarland said Mr. Jon Crusey was sworn in as the new City Manager. The ordinances to accept the Bowman Woods and Menards Subdivision public improvements were approved.

Board member  
comments

Mr. Berbach asked about the pre-construction meeting required for Captor. He said he had not seen that before in the staff recommendations, although he thought it was an excellent idea. Mr. Spring said staff was going to include that now so that there is less confusion in the process. He said he has been involved in them with his business and he thought they were helpful.

Mr. Blake had no comments.

Mr. Horrocks asked if code allows compact spaces; couldn't the property be allowed to put in full size spaces, but just fewer of them. Mr. Spring said code allows the Planning Board to reduce the requirement by 15%. Mr. Berbach asked if it would be feasible by code to reduce the required number of spaces rather than allowing the large number of compact spaces.

Mr. Springer asked if there were any outstanding issues with the Menards subdivision. Mr. Spring said there was nothing coming to Planning Board until lots are sold. There are some small landscaping issues but those are being addressed. Mr. Springer asked about the N. Hyatt Construction Project. The bids are due in Thursday, July 10. Mr. Springer asked about a parking lot that Paul Lee was to complete. Mr. Spring said Mr. Lee has hired an engineer and there have been meetings with the City Engineer regarding the installation of what Mr. Lee calls Phase One. There needs to be a Zoning Compliance Permit and that has not been applied for as of yet.

Mr. McFarland said he received an e-mail from Mr. Vath stating that Judge Lindeman has issued his judgment regarding the Thompson subdivision case on Kerr Road. The judge found in favor of the City; that all procedures were done correctly by the City.

#### **Adjournment**

There being no further business for discussion, Mr. Blake

**moved that the meeting be adjourned.** Mr. Berbach seconded the motion. Chairman McFarland declared the meeting adjourned at 8:20 pm.

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Michael McFarland, Planning Board Chairman

Attest: \_\_\_\_\_  
Marilyn Fennell, Board Secretary